

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

COLETTE HADLEY,

Defendant.

CR 19–25–BU–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered Findings and Recommendation in this matter on February 14, 2020. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommended this Court accept Colette Hadley’s guilty plea after Hadley appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of bank fraud in violation of 18

U.S.C. §§ 2 and 1344(2)(Count II) and one count of aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1) (Count IX) of the Indictment. In exchange for Defendant's plea, the United States has agreed to dismiss Counts I, III-VIII, and X-XV of the Indictment.

I find no clear error in Judge DeSoto's Findings and Recommendation (Doc. 32), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Colette Hadley's motion to change plea (Doc. 25) is GRANTED and Colette Hadley is adjudged guilty as charged in Counts II and IX of the Indictment.

DATED this 2nd day of March, 2020.



Dana L. Christensen, Chief District Judge
United States District Court